

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ARTHUR BABERS,**

**Plaintiff,**

**vs.**

**CIVIL ACTION NO.: 2:06-CV-77**

**AMERICAN INTERNATIONAL GROUP,  
INC.; AMERICAN GENERAL  
CORPORATION; AMERICAN GENERAL  
FINANCE, INC.; AMERICAN GENERAL  
FINANCIAL SERVICES OF ALABAMA,  
INC.; AMERICAN GENERAL FINANCE  
CORPORATION; MERIT LIFE  
INSURANCE COMPANY; YOSEMITE  
INSURANCE COMPANY; KIMBERLY  
SINGLETON; and Fictitious Defendants  
"A", "B", and "C", whether singular or  
plural, those other persons, corporations,  
firms, or other entities whose wrongful  
conduct caused the injuries and damages to  
the Plaintiff, all of whose true and correct  
names are unknown to Plaintiff at this time,  
but will be substituted by amendment when  
ascertained,**

**Defendants.**

**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF  
DEFENDANT'S MOTION TO DISMISS**

COMES NOW Defendant American General Corporation, and appearing specially to contest personal jurisdiction, hereby submits the Affidavit of Linda Sanchez in further support of its Motion to Dismiss due to this Court's lack of personal jurisdiction over Defendant American General Corporation.<sup>1</sup>

---

<sup>1</sup> In filing this notice, American General Corporation does not waive and specifically preserves its defense of failure to state a claim upon which relief can be granted, as well as other defenses pursuant to Rule 12 of the Federal Rules of Civil Procedure.

Respectfully submitted,

s/ John Thomas A. Malatesta  
Jeffrey M. Grantham (ASB-4866-M66J)  
Thomas J. Butler (ASB-7790-T75T)  
John Thomas A. Malatesta, III (ASB-4646-O70M)  
Attorneys for Defendant American General Corporation

OF COUNSEL:

MAYNARD, COOPER & GALE, P.C.  
2400 AmSouth/Harbert Plaza  
1901 Sixth Avenue North  
Birmingham, Alabama 35203-2618  
205-254-1000  
205-254-1999 (fax)

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

C. Lance Gould, Esq.  
BEASLEY, ALLEN, CROW, METHVIN, PORTIS & MILES, P.C.  
272 Commerce Street  
Montgomery, AL 36104

David Alan Elliott, Esq.  
BURR & FORMAN LLP  
SouthTrust Tower, Suite 3100  
420 – 20<sup>th</sup> Street, North  
Birmingham, AL 35203

s/ John Thomas A. Malatesta  
OF COUNSEL